

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 2:14-cr-00321-KJD-NJK

Plaintiff,

ORDER

v.

(Mot Reopen Det – Dkt. #49)

JUSTIN LOPER,

(Mot Seal – Dkt. #52)

Defendant.

Before the court is Defendant Justin Loper’s (“Loper”) Motion to Reopen Detention Hearing (Dkt. #49) and the Motion to Seal Reply (Dkt. #52). The court has considered the Motion, the government’s Response (Dkt. #50), and Loper’s Sealed Reply (Dkt. #52).

Loper made an initial appearance on July 31, 2014, on a Complaint (Dkt. #1), and was subsequently Indicted (Dkt. #27) and charged with one count of conspiracy to interfere with commerce by robbery in violation of 18 U.S.C. § 1951, two counts of interference with commerce by robbery, and aiding and abetting in violation of 18 U.S.C. § 1951 and 18 U.S.C. § 2, and two counts of brandishing a firearm in furtherance of a crime of violence, and aiding and abetting in violation of 18 U.S.C. § 924(c)(1)(A)(ii) and (iii), and 18 U.S.C. § 2. He was detained following a detention hearing. Loper subsequently moved to dismiss his court-appointed counsel. *See* Motion (Dkt. #22). In a hearing conducted October 7, 2014, Judge Koppe granted counsel’s Motion to Withdraw (Dkt. #18) and Loper’s Motion to Dismiss Counsel (Dkt. #22) and appointed current counsel Maysoun Fletcher. *See* Minutes of Proceedings (Dkt. #35).

Newly appointed counsel for Loper seeks to reopen the detention hearing arguing that prior appointed counsel only met with him briefly before his initial appearance and detention hearing, did not contest detention, and advised Loper not to be interviewed by Pretrial Services.

1 Counsel for Loper requests that he be interviewed by Pretrial Services and considered for
2 release. The government opposes Loper's release, but does not oppose his request to be
3 interviewed by Pretrial Services.


4 The Motion to Seal the Reply (Dkt. #32) requests that the Reply (Dkt. #51) be sealed as it
5 inadvertently contained a social security number.

6 Having reviewed and considered the matter,

7 **IT IS ORDERED** that:

- 8 1. Loper's request to be interviewed by Pretrial Services is **GRANTED**.
9 2. A hearing on his Motion to Reopen Detention Hearing (Dkt. #49) is set for
10 **Wednesday, November 19, 2014, at 9:00 a.m., in Courtroom 3B**.
11 3. The Motion to Seal (Dkt. #52) Loper's Reply (Dkt. #51) is **GRANTED** to the limited
12 extent that counsel shall refile the reply redacted of the social security number, and
13 the original Reply (Dkt. #51) may remain under seal, but the reply redacted of the
14 social security number shall be part of the public record.

15 DATED this 13th day of November, 2014.

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18 PEGGY A. LEEN
19 UNITED STATES MAGISTRATE JUDGE
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